

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Cr. No. 17-2558 MV
)	
vs.)	
)	
ARTHUR PERRAULT,)	
)	
Defendant.)	
)	

UNITED STATES' AMENDED PROPOSED VOIR DIRE

The United States respectfully requests permission from the Court to ask prospective jurors the following questions pertinent to the subject matter of this case.

Religion

1. This case involves allegations of child sexual abuse by a Catholic priest. Do you currently attend religious services on a regular basis?
2. Did you regularly attended religious services earlier in your life?
3. Did you attended religious services regularly as a child?
4. Are you or were you ever a practicing Catholic?
5. Were you an altar servers or did you have a similar role in religious services? If so, what was your role?
6. Have you ever had a leadership role at a church or other place of worship? If so, what was your role?
7. How to do feel knowing that this case involves allegations of sexual abuse by a clergy member, specifically, a priest?

8. Some Catholic priests or employees of a church will testify as witnesses in this trial. How do you feel about that?

9. Would you give a witness's testimony more credit simply because the witness is a priest or an employee of a church?

10. Would you give a witness's testimony less credit simply because the witness is a priest or employee of a church?

11. Is there anything about a witness's status as a priest or employee of a church that would make you automatically believe the witness?

12. Is there anything about a witness's status as a priest or employee of a church that would make you automatically disbelieve the witness?

13. Is there anything about your religious beliefs that makes you reluctant to serve on a jury in a case that might reflect poorly on the Catholic Church?

14. Is there anything about your religious beliefs or background that would interfere with your ability to decide this case fairly and impartially?

15. For those of you who have not been involved in organized religion, is there anything about the allegations against a priest that would interfere with your ability to be fair and impartial?

Counseling and Therapy

16. You are going to hear evidence that some witnesses in this case have received counseling or therapy? How do you feel about that?

17. Do you think a witness who went to counseling or therapy is automatically believable?

18. Do you think a witness who went to counseling or therapy is mentally ill?

19. Do you think a witness who went to counseling or therapy isn't believable?
20. What would you say to someone who suggests that counseling or therapy is worthless or a waste of time?
21. Would you give more credit to a witness's testimony because they have gone to counseling or therapy?
22. Would you give less credit to a witness's testimony because they have gone to counseling or therapy?
23. Is there anything about witnesses receiving counseling or therapy that would interfere with your ability to decide this case fairly and impartially?

Civil Lawsuits

24. Have you ever filed a lawsuit against someone else? What was the case about? What was the outcome of the case? Do you think the result of your case was fair?
25. Have you have ever filed a lawsuit against a corporation or other entity? What was the case about? What was the outcome of the case? Do you think the result of your case was fair?
26. Have you have ever been sued by someone else? What was the case about? What was the outcome of the case? Do you think the result of your case was fair?
27. Have you have ever been sued by a corporation or other entity? What was the case about? What was the outcome of the case? Do you think the result of your case was fair?
28. In this case, you will learn some of the witnesses filed lawsuits against the Catholic Church and/or the Defendant claiming sexual abuse. Some of these witnesses received monetary settlements from the Archdiocese. How do you feel as a potential juror knowing that witnesses have filed lawsuits alleging sexual abuse?

29. How to you feel knowing that witnesses have received payments in lawsuits alleging sexual abuse?

30. Would the fact a witness has filed a lawsuit make you automatically believe the witness?

31. Would the fact a witness has filed a lawsuit make you automatically disbelieve the witness?

32. Would you find a witness's testimony more believable simply because the witness has filed a lawsuit?

33. Would you find a witness's testimony less believable simply because the witness has filed a lawsuit?

34. Would the fact a witness received a settlement make you automatically believe the witness?

35. Would the fact a witness received a settlement make you automatically disbelieve the witness?

36. Would you find a witness's testimony more believable simply because the witness received a settlement?

37. Would you find a witness's testimony less believable simply because the witness received a settlement?

38. Is there anything about lawsuits or settlements that would interfere with your ability to decide this case fairly and impartially?

Delayed Disclosure

39. You will hear evidence in this case that some of the witnesses accuse the Defendant of abusing them as children. However, these witnesses will testify that they did not

come forward and report the abuse until many years later when they were adults. How do you feel about that?

40. Do you think a truthful witness would have disclosed the sexual abuse to others immediately?

41. Do you think a truthful witness would have gone to the police or other authorities immediately?

42. Do you think a witness who waited years to disclose alleged abuse must be telling the truth?

43. Do you think a witness who waited years to disclose alleged abuse must not be telling the truth?

44. Is there anything about a witness's delayed disclosure that would interfere with your ability to be fair and impartial?

45. The judge will give you specific instructions on how to evaluate the truthfulness and credibility of witnesses. Can you follow those instructions? Even if they are different from your own opinion or belief about what the law should be?

Pretrial Publicity

46. This case has been publicized in newspapers, on television and radio, and on the internet. Have you read or heard anything about this case prior to coming here today?

47. Has anything that you have read or heard about this case caused you to form an opinion about whether or not the defendant is guilty or not guilty of any crime charged in this case?

48. If you have formed any such opinion, can you set that opinion aside and decide this case based only on the law the Court gives you and the facts and circumstances of the case?

49. Is there anyone who would be unable to put what they already know about this case aside and decide whether the defendant is guilty or not guilty based solely on the evidence presented in court and the judge's legal instructions?

50. Is there anything else in your background, knowing what little you know about the case at this point, that could affect your ability to be fair and impartial?

Respectfully submitted,

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/s
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I hereby certify that a copy of this motion was delivered via CM/ECF to counsel for defendants.

filed electronically

Sean J. Sullivan